

Notice of Allowability

Application No.

09/883,131

Examiner

Carlos Lugo

Applicant(s)

WATTS, JOHN RUSSELL

Art Unit

3676

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed on May 25, 2004.
2. ☒ The allowed claim(s) is/are 42-53 and 56-60.
3. ☒ The drawings filed on 25 August 2003 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

DETAILED ACTION

1. This Office Action is in response to applicant's amendment filed on May 25, 2004.

Reasons For Allowance

2. The following is an examiner's statement of reasons for allowance:

Claims 42, 59 and 60 are allowable over the prior art of record because the teachings of the references taken as a whole do not teach or render obvious the combination set forth, including that the coupler projects (pins) towards the cam to occupy holes within the cam drive recess in order to have the padlock at the Type 1 or Type 2 configurations.

Borgmann (US 4,998,422) discloses a padlock (10) including a shackle (14) having a short leg (26) comprising a first locking recess (32) and a longer leg (30) comprising an opposed second locking recess (32). The longer leg is connected by a longitudinally elongated recess or flat to a peripheral recess (34) disposed towards the end of the longer end.

A casing (12) has a short and a longer recess (36 and 38) extending into the casing from a first end surface to accept the short and longer shackle leg respectively. A central recess (142) extends into the casing from an opposed second end surface. An offset recess (141) extends into the casing from the opposed second end surface and intersects the central recess. The intersection defines a first and second longitudinally elongated cusp portions. A transverse recess (42) extends into the casing from a first side of the casing.

A cylinder (16) has a key operable barrel characterized by an undisplaced position enabling key removal.

The transverse recess supports two opposed balls (20). A first ball is able to protrude into the short recess and first locking recess and a second ball to protrude into the longer recess and second locking recess.

A cam (64) is provided to control the balls. The angular disposition of the cam is determined by a stop (64) comprising a disc-like member and a stop shoulder (88). The stop has a first operative configuration wherein the stop shoulder abuts a wall of the offset recess and a second operative configuration wherein the stop shoulder abuts the opposite wall of the offset recess (at 50).

The padlock is characterized in that at the closed, locked configuration, the stop is at the first operative configuration, the short and longer legs are restrained from displacement relative to the casing, the cam is at the locking configuration and retains the first ball and the second ball at the first and second locking recesses respectively.

In the open, unlocked configuration, the stop is at the second operative configuration, the short and longer legs are free for displacement relative to the casing, and the cam is at the unlocking configuration and retains the second ball within the longitudinally elongated recess or the peripheral recess.

The cam (64) includes a first cam position (70) comprising a substantially cylindrical portion, defined by a peripheral side, curve surface and a longitudinal axis.

Borgmann fails to disclose that the cam includes first, second and third unlocking recesses. Borgmann discloses that the cam only includes first and second unlocking recesses.

Meckbach (US 5,377,511) teaches a padlock having a cam member (25) that includes first, second and third unlocking recesses (26 and 33).

However, Borgmann, as modified by Meckbach, fails to disclose that a coupler projects (pins) towards the cam to occupy holes within the cam drive recess in order to have the padlock at the Type 1 or Type 2 configurations.

Borgmann discloses that the coupler 24 has a surface 154 that is coupled with a cam portion 84, not that projects (pins) towards the cam to occupy holes within the cam drive recess in order to have the padlock at the Type 1 or Type 2 configurations.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Carlos Lugo whose telephone number is 703-305-9747. The examiner can normally be reached on 9-6pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel P. Stodola can be reached on 703-308-2686. The fax phone

Art Unit: 3676

number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-306-5771.

Carlos Lugo
AU 3677

June 3, 2004

A handwritten signature in black ink, reading "Daniel P. Stodola". The signature is fluid and cursive, with the first name "Daniel" and last name "Stodola" clearly legible.

DANIEL P. STODOLA
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600